

# **BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS**

## **REGULAR MEETING AGENDA**

**SEPTEMBER 19, 2007**

**7:30 PM COURTHOUSE COUNCIL CHAMBERS**

**ROLL CALL**\_\_\_\_\_

**PRAYER**\_\_\_\_\_

**APPROVAL OF THE MINUTES OF  
THE SEPTEMBER 12, 2007 SPECIAL MEETING**\_\_\_\_\_

**ITEMS NOT ON THE AGENDA -  
SUSPENSION OF THE RULES**\_\_\_\_\_

**PUBLIC COMMENT ON ANY  
PUBLIC MATTER NOT ON THE AGENDA**\_\_\_\_\_

**CHIEF EXECUTIVE'S REPORT**\_\_\_\_\_

### **SECTION I                      INFORMATIONAL REPORTS    COMMUNICATION NO. 07-576**

Charlie O'Leary, Chairman of Council of Commissioners, requesting time on the 9/19 agenda for reports from recipients of 2006 Economic Mill Levy Funds and time on the 0/26 agenda to accept proposals for 2007 Economic Development Mill Levy Funds. (Communication No. 07-576 being held in Committee of the Whole)

### **SECTION II                      PUBLIC HEARING (CONTINUATION)**

FOR THE PURPOSE OF FIXING THE FINAL BUDGET AND MAKING APPROPRIATIONS. (Communication No. 07-533 being held in Committee of the Whole) **Proof of publication was noted and placed on file 8/15/07**

### **SECTION III                      PUBLIC HEARING**

FOR THE PURPOSE OF HEARING PROPOSALS SUBMITTED FOR THE 1600 BLOCK OF HANCOCK STREET, LOTS 10-14, BLOCK 15, NORTHERN

PACIFIC ADDITION. (Communication No. 07-568 being held in Committee of the Whole) Proof of publication

#### SECTION IV

#### CONSENT AGENDA

- A.
1. COMMITTEE OF THE WHOLE MEETING REPORT
  2. FINANCE AND BUDGET COMMITTEE MEETING REPORT
  3. JUDICIARY COMMITTEE MEETING REPORT
  4. PUBLIC WORKS COMMITTEE MEETING REPORT

B. **COMMUNICATIONS**

1. 07-603 Robert A. Macioroski, Director Land Records Department, requesting authorization for Chief Executive to enter into service agreement with Empire Office Machines for maintenance of Mita Copier. **Recommendation: concur and place on file**
2. 07-604 Robert A. Macioroski, Director Land Records Department, requesting authorization for Chief Executive to enter into service agreement with Selby's for maintenance of copier/scanner. **Recommendation: concur and place on file.**
3. 07-605 Theresa McCarthy, Manager, requesting authorization for Chief Executive to enter into contract with Human Resources Council District XII for administration of Butte-Silver Bow Assistance Program. **Recommendation: concur and place on file.**
4. 07-606 Tim Clark, Personnel Director, requesting approval for John Butorovich to use additional days on sick leave grant program. **Recommendation: concur and place on file.**
5. 07-607 Paul Babb, Chief Executive, requesting concurrence in appointment and reappointments to Mosquito Control District Board. **Recommendation: concur and place on file.**
6. 07-608 Sherrie Walsh, Building Manager Business Development Center, requesting authorization for Chief Executive to sign Photocopier maintenance agreement with Empire Office Machines, Inc. **Recommendation: concur and place on file.**
7. 07-609 Karen Byrnes, Community Development Director, requesting authorization to pursue the Ordinance 82 Process for the Aerospace Infrastructure under the Montana Board of Investments Loan Program. **Recommendation: concur and place on file.**
8. 07-610 Andrew Zdinak, Market Director BLDC, requesting authorization

for Chief Executive to sign loan approval for Anaconda Arco Loan Fund Committee to L.L.A.P. , Inc. (dba Play N Trade). **Recommendation: concur and place on file.**

9. 07-611 Gary Keller, Transit Manager, requesting approval to dispose of 7 obsolete transit buses. **Recommendation: concur and place on file.**
10. 07-612 Robert A. Macioroski, Director Land Office, requesting County County Attorney to prepare resolution and deed for transfer to Jimmy Cecil, Adjacent Landowner. **Recommendation: concur and request County Attorney to prepare a resolution and hold in Committee of the Whole.**
11. 07-613 Robert A. Macioroski, Director Land Office, requesting County Attorney to prepare a resolution and hold in Committee of the Whole. **Recommendation: concur and request County Attorney to prepare a resolution and hold in Committee of the Whole.**
12. 07-614 Bob McCarthy, County Attorney, requesting public hearing be scheduled 9/26/07 for Covelite Theatre Request to sell beer and wine during theatre performances. **Recommendation: schedule public hearing and hold in Committee of the Whole.**
13. 07-615 Roger Ebner, requesting authorization for Chief Executive to sign statement of work between Butte-Silver Bow Disaster & Emergency Services and State of Montana. **Recommendation: concur and place on file.**
14. 07-616 Tim Clark, Personnel Director, requesting authorization for Chief Executive to sign tentative contract settlement with Unite – Here, Local 427. **Recommendation: concur and place on file.**
15. 07-617 Robert M. McCarthy, County Attorney, requesting RFP for credit card acceptance capability. **Recommendation: refer to Committee of the Whole.**
16. 07-618 Tim Clark, Personnel Director, requesting authorization for Chief Executive to execute Letter of Understanding between Butte-Silver Bow and Carolyn Hooper. **Recommendation: Concur and place on file.**
17. 07-619 Tim Clark, Personnel Director, requesting authorization for Chief

Executive to execute Letter of Agreement and Settlement Agreement with Butte Police Protective Association. **Recommendation: concur and place on file.**

18. 07-621 Gary Keeler, Landfill Manger, requesting authorization for Chief Executive to enter into agreement with Delhur Industries, Inc. for construction of Phase 3 Landfill Cell Expansion. **Recommendation: concur and place on file.**
19. 07-622 Russ Connole, Economic Development Department Director, requesting notification of the completion of the Renewable Energy Report by Lost Dolphin Enterprises, LLP. **Recommendation: note and place on file.**
20. 07-623 Russ Connole, Economic Development Department Director, requesting authorization for Chief Executive to enter into contract with AK Drilling for a potable well for SeaCast Facility. **Recommendation: concur and place on file.**
21. 07-624 Russ Connole, Economic Development Department Director, requesting authorization for Chief Executive to enter into a Memorandum of Understanding with MADA for Aerospace Testing Facility at the TIFID. **Recommendation: concur and place on file.**
22. 07-625 Russ Connole, Economic Development Department Director, requesting authorization for Chief Executive to sign a contract with Pioneer Technical Services for Geo-Technical Engineering Report for property at the TIFID. **Recommendation: concur and place on file.**
23. 07-626 Russ Connole, Economic Development Director, requesting to amend Pioneer Technical services, Inc. contract for engineering oversight for the SeaCast Project and authorize Chief Executive to execute necessary documents. **Recommendation: concur and place on file**
24. 07-628 Charlie O'Leary, Council Chairman, requesting concurrence with authorization for Chief Executive to sign a contract to be prepared with the Russ Reid Company to begin efforts on Butte-Silver Bow's behalf on October 1, 2007. **Recommendation: concur and place on file**

25. 07-629 Russ Connole, Economic Development Director, requesting to extend a TIFID purchase and option agreement with Panterra Minerals, L.L.C. until December 1, 2007. **Recommendation: concur and place on file.**

**SECTION V COMMUNICATIONS TO BE READ AND ACTED UPON**

1. 07-620 Jon Sesso, Planning Director, requesting authorization for Chief Executive to sign Operating Agreement to produce the 2008, 2009 and 2010 National Folk Festival.
2. 06-727 Eileen Joyce, Deputy County Attorney, requesting creation of a sub-committee for lawsuit with Mykl Meagher.

**SECTION VI ORDINANCES AND RESOLUTIONS - REFERRED TO JUDICIARY**

1. **COUNCIL BILL NO. 07-15  
ORDINANCE NO. 07-15**

AN ORDINANCE AMENDING SECTION 4 OF ORDINANCE NO. 204 AND SECTION 10.40.050 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED "SPEED LIMIT;" ESTABLISHING A 15 MPH SPEED LIMIT ON WOOLMAN STREET BEGINNING AT ITS INTERSECTION WITH WYOMING STREET ON THE EAST TO JACKSON STREET ON THE WEST AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

**SECTION VII ORDINANCES AND RESOLUTIONS - FINAL READING**

1. **COUNCIL BILL NO. 07-13  
ORDINANCE NO. 07-13**

AN ORDINANCE AMENDING ORDINANCE NO. 196 AND CHAPTER 8.12 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED "UNDESIRABLE VEGETATION CONTROL"; AMENDING SECTIONS 8.12.030, 8.12.070, 8.12.080, 8.12.090 AND 8.12.110, BSB MC; TRANSFERRING RESPONSIBILITY FOR ENFORCEMENT OF THIS ORDINANCE FROM THE DIRECTOR OF PUBLIC WORKS TO THE BUTT-SILVER BOW WEED BOARD; INCREASING PENALTIES FOR VIOLATION AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

**2. COUNCIL RESOLUTION NO. 07-78**

A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE PRELIMINARY PLAT OF THE PORT OF MONTANAN NO. 1 MINOR SUBDIVISION OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA; PROVIDING FOR THE REPEAL OF ALL PARTS OF RESOLUTIONS IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

**SECTION IX ORDINANCES AND RESOLUTIONS –  
SUSPENSION OF THE RULES**

**1. COUNCIL RESOLUTION NO. 07-80**

A RESOLUTION VACATING, CLOSING, DISCONTINUING AND ABANDONING THE STREET ADJACENT TO LOTS 14, 15, 16, 17 AND 18, THE ALLEY ADJACENT TO LOTS 9,10, 11, 12 AND 13 AND THE ALLEY ADJACENT TO LOTS 3, 4, 5, 6, 7 AND 8, ALL IN BLOCK 45 OF THE SOUTH PARK ADDITION WITHIN THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA AMENDING COUNCIL RESOLUTION NO. 07-1; PRESCRIBING THE EFFECTIVE DATE OF THIS RESOLUTION AND FINDING THE NECESSARY FACTS HEREIN.

**2. COUNCIL RESOLUTION NO. 07-81**

A RESOLUTION ADOPTING THE FINAL BUDGET OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA FOR THE FISCAL YEAR 2007 – 2008 AND SETTING LEVIES FOR FISCAL YEAR 2007 – 2008 BASED ON THE VALUE OF A MILL OF \$48,416.00 CITY-COUNTY WIDE AND DECLARING THAT ALL PROTESTS AGAINST SAID BUDGET HAVE BEEN HEARD AND DISPOSED OF; DECLARING THAT SAID BUDGET CONTAINS A CORRECT STATEMENT OF THE AMOUNT TO BE APPROPRIATED FOR EACH OF THE FUNDS OF THE CITY AND COUNTY OF BUTTE-SILVER BOW FOR THE FISCAL YEAR BEGINNING ON THE 1<sup>ST</sup> DAY OF JULY, 2007 AND ENDING ON THE 30TH DAY OF JUNE, 2008, AS FIXED IN SAID BUDGET PASSED ON THE 19<sup>TH</sup> DAY OF SEPTEMBER, 2007 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

**3. COUNCIL RESOLUTION NO. 07-82**

A RESOLUTION FIXING THE TAX LEVY OR SERVICE CHARGE FOR THE VARIOUS FUNDS OF THE CITY AND COUNTY OF BUTTE-SILVER BOW AT A RATE WHICH WILL RAISE THE AMOUNT SET OUT IN THE

FINAL BUDGET AS THE AMOUNT NECESSARY TO BE RAISED BY TAX LEVY OR SERVICE CHARGE FOR EACH FUND FOR FISCAL YEAR 2007 –2008 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

**4. COUNCIL RESOLUTION NO. 07-83**

A RESOLUTION FIXING THE MANDATORY TAX LEVIES FOR THE VARIOUS FUNDS OF THE STATE OF MONTANA AT THE RATE WHICH WILL RAISE THE AMOUNT NECESSARY TO BE RAISED BY TAX LEVY FOR EACH FUND FOR FISCAL YEAR 2007 – 2008 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

**5. COUNCIL RESOLUTION NO. 07-84**

A RESOLUTION FIXING THE TAX LEVY FOR THE TOWN OF WALKERVILLE, STATE OF MONTANA AT A RATE WHICH WILL RAISE THE AMOUNT SET OUT IN THE FINAL BUDGET AS THE AMOUNT NECESSARY TO BE RAISED BY TAX LEVY FOR EACH FUND FOR FISCAL YEAR 2007 - 2008 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

**6. COUNCIL RESOLUTION NO. 07-85**

A RESOLUTION ESTIMATING AS NEAR AS POSSIBLE THE COST OF MAINTAINING SPECIAL IMPROVEMENT DISTRICTS NUMBER 401 AND NUMBER 402 FOR THE PURPOSE OF FIRE HYDRANT RENTAL WITHIN THE CITY AND COUNTY OF BUTTE-SILVER BOW, FOR THE FISCAL YEAR 2007 – 2008 AND COUNTY PROVIDING FOR AN EFFECTIVE DATE HEREIN.

**7. COUNCIL RESOLUTION NO. 07-86**

A RESOLUTION LEVYING SPECIAL ASSESSMENTS TO PAY THE COSTS OF LIGHTING WITHIN THE SPECIAL IMPROVEMENT DISTRICTS ENUMERATED BY THIS RESOLUTION WITHIN THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA, FOR THE FISCAL YEAR 2007 – 2008 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

**8. COUNCIL RESOLUTION NO. 07-87**

A RESOLUTION FIXING AND ESTABLISHING SEWER RATES AND SERVICE CHARGES FOR THE OPERATION AND MAINTENANCE OF THE METRO SEWER SANITARY AND STORM SEWER SYSTEM AND FOR THE OPERATION AND MAINTENANCE OF THE METRO SEWER TREATMENT PLANT BY THE CITY AND COUNTY OF BUTTE-SILVER

BOW, MONTANA FOR FISCAL YEAR 2007 – 2008; FIXING AND ESTABLISHING AN ADDITIONAL CHARGE FOR A CAPITAL IMPROVEMENT FUND TO DEFRAY THE COST OF ENVIRONMENTALLY MANDATED IMPROVEMENTS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

**9. COUNCIL RESOLUTION NO. 07-88**

A RESOLUTION LEVYING A SPECIAL ASSESSMENT FOR THE FISCAL YEAR 2006 – 2008 AGAINST THE PROPERTY FROM WHICH SOLID WASTE IS TO BE COLLECTED AND REMOVED FROM EACH INDIVIDUAL DWELLING COLLECTION UNIT FOR THE PURPOSE OF DEFRAYING THE COST AND EXPENSES OF COLLECTING AND REMOVING SAID SOLID WASTE; LEVYING A LANDFILL FACILITY ACCESS FEE FOR THE FISCAL YEAR 2007 – 2008 AGAINST THE PROPERTY FROM WHICH SOLID WASTE IS TO BE DISPOSED OF FOR EACH INDIVIDUAL DISPOSAL UNIT FOR THE PURPOSE OF DEFRAYING THE COST AND EXPENSES OF MAINTAINING AND OPERATING SAID SOLID WASTE DISPOSAL FACILITY AND ESTABLISHING A SCHEDULE OF FEES FOR SUCH ASSESSMENT AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

**10. COUNCIL RESOLUTION NO. 07-89**

A RESOLUTION FIXING THE RATE OF ASSESSMENT TO FINANCE THE COST OF EACH STREET MAINTENANCE DISTRICT WITHIN THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA, FOR THE FISCAL YEAR 2007 – 2008 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

**SECTION X CALENDAR OF OTHER MEETINGS AND EVENTS**

Sept. 26	Port of Montana	Noon	Hub Center
Sept. 26	Urban Revitalization	9AM	Chief Executive's Conference Rm.
Sept.. 26	TIFID Board	3:30	305 W. Mercury
Sept. 27	Planning Board	7PM	Council Chambers
Sept.. 27	Business Development Center	10Am	Business Development Center
Oct. 1	Airport Authority	Noon	Bert Mooney Airport
Oct. 2	Historic Preservation Commission	Noon	Health Department
Oct. 2	Weed Board	7PM	Weed Dept.
Oct. 3	Butte AIDS Support Services	7PM	Community Center
Oct. 3	Health Department	7AM	Health Department
Oct. 4	Civic Center	5PM	Civic Center Hospitality Room

**ADJOURN**\_\_\_\_\_



# **COMMITTEE OF THE WHOLE MEETING REPORT SEPTEMBER 12, 2007**

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

Ladies and Gentlemen:

We, your Committee of the Whole Committee, respectfully recommend as follows:

## **SECTION I INVITATION FOR BIDS**

**SEALED BIDS FOR THE CONSTRUCTION OF THE PHASE 3 EXPANSION OF THE BUTTE-SILVER BOW CLASS II LANDFILL. (Communication No. 07-553 being held in Committee of the Whole) Proof of publication was noted and placed on file.**

Gary Keeler, Landfill Manager, opened the two bids that were submitted.

- |                |                |
|----------------|----------------|
| 1. Pumco       | \$1,645,692    |
| 2. Dethur Inc. | \$1,568,275.50 |

**It was moved by Commissioner Lee, seconded by Commissioner Moodry and carried with a unanimous verbal to refer the bids to the Landfill Manager for report back.**

## **SECTION II INVITATION FOR BIDS**

**SEALED BIDS OR PROPOSALS FOR THE ROOF REPLACEMENT OF THE BUTTE-SILVER BOW HEALTH BUILDING LOCATED AT 25 W. FRONT STREET. (Communication No. 07-575) Proof of publication was noted and placed on file. (Per “friendly amendment” made 9/19/07 recommendation should read that bid was awarded to sole bidder, Thomas Roofing and placed on file.)**

**Marty Alexander opened the one bid from Thomas Built Up Roofing. It was moved by Commissioner Lee, seconded by Commissioner Fay and carried with a unanimous verbal vote to refer to Public Works and Health Department for review and report back.**

## **SECTION III COMMUNICATION NO. 06-454**

**John Rolich, Registered Sanitarian, requesting public hearing be set for 8/2/06 concerning community decay violations at 835 8<sup>th</sup> Street. Committee recommends that Communication No. 06-454 be held in abeyance.**

**SECTION IV****COMMUNICATION NO. 07-486**

Mykl Meager, Manager Oakpark, requesting permission to purchase 3 adjoining lots to 432 S. Jackson. *Committee recommends that Communication No. 07-486 be held in abeyance.*

**SECTION V****COMMUNICATION NO. 07-509**

Charlie O'Leary, Chairman Council of Commissioners, requesting Council pursue some sizable Federal dollars by enlisting the help of the Russ Reid Company for one year on a trail basis. *Committee recommends that Communication No. 07-509 be placed on file.*

**SECTION VI****COMMUNICATION NO. 07-515**

Bill Melvin, Civic Center Manager, requesting approval to donate 2 sets of wooden bleachers to Montana Youth Challenge Foundation. *Committee recommends that Communication No. 07-515 be held in abeyance.*

**SECTION VII****COMMUNICATION NO. 07-533**

Jeff Amerman, Finance and Budget Department, requesting time on 8/1/07 agenda to make a presentation on the FY 2007 – 2008 Preliminary Budget. *Committee recommends that Communication No. 07-533 be held in abeyance.* (Per “friendly amendment” made 9/19/07 recommendation should include that they did pass the Addendums and motions.)

**SECTION VIII****COMMUNICATION NO. 07-534**

Karen Byrnes, Director, requesting approval of E. Copper vacant property and authorization for County Attorney to prepare a resolution. *Committee recommends that Communication No. 07-534 be cross referenced with Council Resolution No. 07-68 and placed on file.*

**SECTION IX****COMMUNICATION NO. 07-549**

R. Edward Banderob, requesting consideration creation of Greater Butte-Silver Bow Scenic Drive. *Committee recommends that Communication No. 07-549 be placed on file.*

**SECTION X****COMMUNICATION NO. 07-553**

Gary Keeler, Landfill Manager, requesting permission to conduct a bid opening 9/5/07 for construction of the Phase 3 landfill expansion. *Committee recommends that Communication No. 07-553 be placed on file.*

**SECTION XI****COMMUNICATION NO. 07-561**

John Coulthard, requesting permission to host Cyclocross Race at Copper Mountain Recreation Complex. *Committee recommends that Communication No. 07-561 be approved and placed on file.*

**SECTION XII****COMMUNICATION NO. 07-562**

Robert A. Farren, Metro Rate Superintendent, requesting buy-in approval for HKM Engineering to buy into Metro Sewer District for Parcel #458500. *Committee recommends that Communication No. 07-562 be held in abeyance.*

**SECTION XIII****COMMUNICATION NO. 07-568**

Bob Macioroski, Director Land Records, requesting public hearing be set for 9/19/7 to hear presentations for Developer's Packet for 1600 block of Hancock Street. *Committee recommends that Communication No. 07-568 be held in abeyance.*

**SECTION XIV****COMMUNICATION NO. 07-575**

Marty Alexander, Buildings Supervisor, requesting time on 9/12/07 agenda to conduct a bid opening for the Health Department roof replacement project. *Committee recommends that Communication No. 07-575 be placed on file.*

**SECTION XV****COMMUNICATION NO. 07-576**

Charlie O'Leary, Chairman Council of Commissioners, requesting time on 9/19/07 agenda for reports from recipients of 2006 Economic Mill Levy Funds and time on 9/26 agenda to accept proposals for 2007 Economic Development Mill Levy Funds. *Committee recommends that Communication No. 07-576 be held in abeyance.*

**SECTION XVI****COMMUNICATION NO. 07-578**

Bill Melvin, Civic Center Manager, requesting an increase in the government buildings budget in the amount of \$23,000 for FY 2007-2008. *Committee recommends approval of the request as outlined in Attachment "E" and places Communication No. 07-578 on file.*

**SECTION XVII****COMMUNICATION NO. 07-585**

Jeff Miller, Director of Fire Services, requesting consideration for additional budget authority in fiscal year 2007 – 2008 Fire Department operating budget. *Committee recommends approval of the request as outlined in Attachment "E"*

*and places Communication No. 07-585 on file. (Per “friendly amendment” made 9/19/07 to change the recommendation to read Committee recommends approval of the request as Outlined in Attachment “F” instead of Attachment “E”*

#### **SECTION XVIII**

#### **COMMUNICATION NO. 07-586**

Paul Babb, Chief Executive, requesting Council approve recommendation form Tax Abatement Committee for Home Depot and schedule a public hearing. *Committee recommends that Communication No. 07-586 be held in abeyance.*

#### **SECTION XIX**

#### **COMMUNICATION NO. 07-592**

John P. Walsh, Sheriff, requesting time on 9/12/07 agenda for budget requests. *Committee recommends that Communication No. 07-592 be approved as per attachment “G” and placed on file.*

#### **SECTION XX**

#### **COMMUNICATION NO. 07-601**

Jeffrey L. Miller and Roger L. Ebner, requesting consideration for additional budget authority for Fiscal Year 2007 2008 for both Fire Department and Disaster and Emergency Services. *Committee recommends that Communication No. 07-601 be placed on file.*

#### **SECTION XXI**

#### **COMMUNICATION NO. 07-602**

Steve Kambich, Judge City Court, requesting consideration for additional employee in City Court. *Committee recommends that Communication No. 07-602 be approved as per attachment “I” and placed Communication No. 07-602 on file.*



**SEPTEMBER 12, 2007**

Ladies and Gentlemen:

**SECTION I** **COMMUNICATION NO. 07-570**

**SECTION II**

**EXPENDITURE APPROVAL**

<b>9/5/07</b>	<b>\$577,522.90</b>
<b>9/12/07</b>	<b>\$388,904.21</b>

**SECTION I**

**COMMUNICATION NO. 07-503  
COMBINED WITH COMMUNICATION NO. 07-514**

And

**SECTION II** **COMMUNICATION NO. 07-554**

**SECTION III**

**COMMUNICATION NO. 07-598**

**SECTION IV** **COUNCIL BILL NO. 07-13**  
**ORDINANCE NO. 07-13**

**SECTION V** **COUNCIL BILL NO. 07-14**  
**ORDINANCE NO. 07-14**

AN ORDINANCE AMENDING SECTION 4 OF ORDINANCE NO. 204 AND SECTION 10.40.050 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED "SPEED LIMIT;" ESTABLISHING A 15 MPH SPEED LIMIT ON WOOLMAN STREET BEGINNING AT ITS INTERSECTION WITH MONTANA STREET ON THE EAST TO JACKSON STREET ON THE WEST AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. *Committee recommends that Council Bill No. 07-14, Ordinance No. 07-14 be held for two weeks to get correct version of speed limit locations.*

## SECTION VI COUNCIL RESOLUTION NO. 07-77

A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE FINAL PLAT OF THE FLEECER VIEW MAJOR SUBDIVISION OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA; PROVIDING FOR THE REPEAL OF ALL PARTS OF RESOLUTIONS IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. *Committee recommends that Resolution No. 07-77 be held for two weeks for Sheehy to research further. Per segregation on 9/19/07 recommendation was changed to move to final reading and passed.*

## SECTION VII COUNCIL RESOLUTION NO. 07-78

A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE PRELIMINARY PLAT OF THE PORT OF MONTANAN NO. 1 MINOR SUBDIVISION OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA; PROVIDING FOR THE REPEAL OF ALL PARTS OF RESOLUTIONS IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. *Committee recommends that Council Resolution No. 07-78 be placed on final reading and passed*

## SECTION VIII CLAIM APPROVAL

949	Jim Petritz	\$100.00	Weed Bond Refund
1084	Lou and Cheryl Parrett	3,430.95	Redeem Tax Assg.
1085	RDB's Properties LLC	4,152.13	Redeem Tax Assg.
1141	William Hanley	5,506.10	Bond Refund
1153	Steven Abraham	80.00	Garbage Assessment Refund
1280	Oakpark 15 AV LLC	10,438.23	Redeem Tax Assg.
1281	RDB Property LLC	3,737.72	Redeem Tax Assg.

*Committee recommends approval of above claims.*



# PUBLIC WORKS COMMITTEE MEETING REPORT

## SEPTEMBER 12, 2007

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

Ladies and Gentlemen:

We, your Public Works Committee, respectfully recommend as follows:

**SECTION I** **COMMUNICATION NO. 06-661**

Jon Sesso, Planning Director, requesting council prioritize road improvement project – intersection of Beef Trail Road and Little Basin Creek Road. ***Committee recommends that Communication No. 06-661 be placed in Suspense File and a communication be sent to John VanDaveer.***

**SECTION II** **PETITION NO. 07-6**

John Harrington, Building Official, requesting on behalf of Three Dogs Holdings, Inc. to close and vacate a portion of Meadowlark Lane in SE ¼ of Section 32, T3N, R7W. ***Committee recommends that Petition No. 07-6 be held in abeyance. County Attorney preparing an Ordinance.***

**SECTION III** **PETITION NO. 07-9**

John Harrington, Building Official, requesting on behalf of Butte School District No. 1 to close and vacate a portion of Wyoming South of Silver Street. ***Committee recommends that Petition No. 07-9 be held in abeyance.***

**SECTION IV**

**COMMUNICATION NO. 07-165**

Cindi Shaw, Commissioner District 11, requesting a review of traffic concerns on E. Woolman Street. ***Committee recommends that Communication No. 07-165 be cross referenced with Council Bill No. 07-14, Ordinance No. 07-14.***